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OFFICE OF PETITIONS

In re Application of	:	
Roderic M. K. Dale et al	:	
Application No. 09/223,957	:	ON PETITION
Filed: December 31, 1998	:	
Attorney Docket No. OLIG-0004	:	

This is a decision on the petition under 37 CFR 1.137(b), filed September 14, 2004, to revive the above-identified application.


The petition is **GRANTED**.

The above-identified application became abandoned as a result of petitioner's failure to file an appeal brief (and fee required by 37 CFR 1.17(c)) within the time period provided in 37 CFR 1.192(a). As an appeal brief (and appeal brief fee) was not filed within two (2) months of the Notice of Appeal filed December 23, 2003, and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the appeal was dismissed and the proceedings as to the rejected claims were terminated. See 37 CFR 1.192(b) & 1.197(c). As no claim was allowed, the-above-identified application became abandoned on February 24, 2004. See MPEP 1215.04.

The above-identified application is being revived solely for purposes of continuity. As continuity has been established by this decision reviving the above-identified application, the above-identified application is again abandoned in favor of a continuing application filed on September 14, 2004..

Telephone inquiries concerning this decision should be directed to Wan Laymon at (571) 272-3220.

This matter is being referred to Files Repository.


Wan Laymon
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for Patent Examination Policy